



PUBLIC NOTICE

FILE # NRS16.021

Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

FILE NUMBER: NRS16.021

APPLICANT: John Ohanian
TVG Tennessee I, LLC.
6200 Wildings Blvd.
College Grove, TN 37096
714-785-2381

LOCATION: The Grove Phase 5, File# NRS16.021 Williamson County, TN (Lat:35.8090729/
Lon:-86.7356811)

PROJECT DESCRIPTION: The applicant proposes to develop The Grove Phase 5 including the installation of four road crossings (two on tributaries to McCrory Creek and two on tributaries to Hurricane Branch) totaling 185 feet of encapsulation and the filling of two small isolated farm ponds.

Impact 1: Latitude: 35.80265 Longitude: -86.72368
Hurricane Branch (TN05130204018_0600)

Proposed installation of a formed concrete structure with 40 feet of 54" corrugated metal pipe (CMP) installed to convey water. The pipe is sized to the 100 year storm event flow.

Impact 2: Latitude: 35.7977 Longitude: -86.71425
Hurricane Branch (TN05130204018_0600)

Proposed installation of a formed concrete structure with 40 feet of 36" corrugated metal pipe (CMP) installed to convey water. The pipe is sized to the 100 year storm event flow.

Impact 3: Latitude: 35.80643 Longitude: -86.72368
McCrory Creek (TN05130204016_0900)

Proposed installation of a formed concrete structure with 45 feet of 2@36" corrugated metal pipe (CMP) installed to convey water. The pipe is sized to the 100 year storm event flow.

Impact 4: Latitude: 35.80584 Longitude: -86.73363
McCrary Creek (TN05130204016_0900)

Proposed installation of 60 feet of an open bottom 16X4.5 concrete box culvert. The pipe is sized to the 100 year storm event flow.

MITIGATION REQUIRED

The applicant proposes the purchase of 185 stream mitigation credits from the Tennessee Stream Mitigation Program in the West Lower Cumberland Service Area.

DETERMINATIONS: In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities would result in less than de minimus degradation to water quality.

WATERSHED / WATERBODY DESCRIPTION: McCrary Creek flows into the Harpeth River Watershed. The Harpeth River Watershed is located in Middle Tennessee and includes parts of Cheatham, Davidson, Dickson, Hickman, Rutherford and Williamson Counties. The Harpeth River Watershed is approximately 863 square miles and drains to the Cumberland River. - See more at: <http://tn.gov/environment/article/wr-ws-harpeth-river-watershed#sthash.KgIahEwj.dpuf>.

McCrary Creek (TN05130204016_0900) is in the Outer Nashville Basin ecoregion name (71h). The channel dimensions are as follows: channel bottom width 11 feet, channel top width 20-23 feet, water depth variable, and bank height 8 feet. Typical substrate in this section is comprised of clay, cobble, gravel and silt.

Stream Name / ID #: McCrary Creek (TN05130204016_0900)

Ecoregion: Outer Nashville Basin ecoregion name (71h)

Stream Dimension: Channel bottom width 10'
Chanel top width 20-23'
Water depth variable
Bank height 8'

Substrate: clay, cobble, gravel and silt

Designated Use	Use Support
Fish and aquatic life	fully supporting
Recreation	fully supporting
Industrial water supply	fully supporting
Irrigation	fully supporting
Livestock watering & wildlife	fully supporting

Assessment Date: 2014

PERMIT COORDINATOR: Brian Canada

FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

PUBLIC HEARING: Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

APPEAL: A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Tisha Benton, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 11th floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

FILE REVIEW: The permit application, supporting documentation including detailed plans and maps, and related comments are available for review on the internet at the department's data viewer at: <http://www.tn.gov/environment/article/wr-water-resources-data-viewer>. The file may be viewed in person at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation
Division of Water Resources, Natural Resources Unit
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243







